


AUG 14 2018

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION
AUGUST 2017 SESSION

UNITED STATES OF AMERICA)	Criminal No. 6:18-CR- <u>10</u>
)	
)	
v.)	<u>SEALED INDICTMENT</u>
)	
)	
JOHN MARSHALL HIGGINS)	
(Counts 1, 2, 3, and 4))	
)	
)	<i>In Violation of:</i>
GARY ANDREW HASSLER)	Title 18 U.S.C. § 242
(Counts 5 and 6))	Title 18 U.S.C. § 1519

The Grand Jury charges:

COUNT ONE

1. That between on or about February 28, 2017, and on or about March 3, 2017, in the Western Judicial District of Virginia, the defendant, JOHN MARSHALL HIGGINS, while acting under color of law, willfully deprived inmate R.E.C. of the right, protected and secured by the Constitution and laws of the United States, to due process of law, which includes the right of a pretrial detainee to be free from a jail official's deliberate indifference to his serious medical needs, resulting in bodily injury.

2. In violation of Title 18, United States Code, Section 242.

COUNT TWO

1. That between on or about October 28, 2016, and on or about December 22, 2016, in the Western Judicial District of Virginia, the defendant, JOHN MARSHALL HIGGINS, while acting under color of law, willfully deprived inmate R.E.C. of the right, protected and secured by the Constitution and laws of the United States, to due process of law, which includes the right of

a pretrial detainee to be protected from the harm of foreseeable injury and violence, resulting in bodily injury.

2. In violation of Title 18, United States Code, Section 242.

COUNT THREE

1. That between on or about February 23, 2017, and on or about February 28, 2017, in the Western Judicial District of Virginia, the defendant, JOHN MARSHALL HIGGINS, while acting under color of law, willfully deprived inmates R.E.C. and M.K. of the right, protected and secured by the Constitution and laws of the United States, to due process of law, which includes the right of a pretrial detainee to be protected from the harm of foreseeable injury and violence, resulting in bodily injury.

2. In violation of Title 18, United States Code, Section 242.

COUNT FOUR

1. That between on or about December 15, 2016, and on or about January 27, 2017, in the Western Judicial District of Virginia, the defendant, JOHN MARSHALL HIGGINS, while acting under color of law, willfully deprived inmate B.E. of the right, protected and secured by the Constitution and laws of the United States, to due process of law, which includes the right of a pretrial detainee to be free from a jail official's deliberate indifference to his serious medical needs, resulting in bodily injury.

2. In violation of Title 18, United States Code, Section 242.

COUNT FIVE

1. That on or about March 5, 2017, in the Western Judicial District of Virginia, the defendant, GARY ANDREW HASSLER, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly

the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified a document with the intent to impede, obstruct, and influence the investigation and proper administration of the matter within the jurisdiction of a federal agency. Specifically, GARY ANDREW HASSLER falsified a jail medical log for inmate R.E.C. dated March 5, 2017, by falsely claiming that on February 28, 2017, inmate R.E.C. had refused his medication.

2. In violation of Title 18, United States Code, Section 1519.

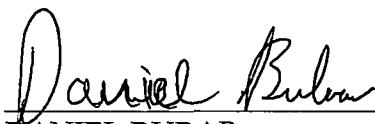
COUNT SIX

1. That on or about March 5, 2017, in the Western Judicial District of Virginia, the defendant, GARY ANDREW HASSLER, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified a document with the intent to impede, obstruct, and influence the investigation and proper administration of the matter within the jurisdiction of a federal agency. Specifically, GARY ANDREW HASSLER falsified a Rockbridge Regional Jail Incident Report, dated March 5, 2017, by falsely reporting that inmate R.E.C. refused medical care on March 1, 2017.

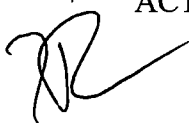
2. In violation of Title 18, United States Code, Section 1519.

A TRUE BILL, this 14 day of August, 2018.

/s/ Foreperson
FOREPERSON



DANIEL BUBAR

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ATTORNEY FOR THE UNITED STATES
ACTING UNDER AUTHORITY CONFERRED BY 28 U.S.C. § 515